

Appl. No. : 10/691,774
Filed : October 22, 2003

REMARKS

This is in response to the Office Action mailed January 11, 2007.

Applicant has amended Claim 1 and canceled Claims 4-6.

By the Office Action the Examiner rejected Claims 1-6 under 35 U.S.C. § 102(b) and 102(e) as being anticipated by Vuong et al. (U.S. Patent No. 5,762,552).

The Examiner admits that Vuong does not disclose the claimed gaming system having a game server in a first territory and a gaming machine in a second territory. The Examiner, however, asserts that the “utilitization of a first and a second territory”, including where the territory is a “Sovereign Indian Land” does not modify the claimed structure (i.e. is an intended use or function).

Applicant disagrees. Claims 1-3 do not recite a gaming system “for use” in particular territory. Instead, the claims positively recite the territory as a limitation of the claim. In this regard, the current claim limitations are no different that a claim limitation such as “a resistor located in an enclosure.” Clearly in that instance, while the “located in an enclosure” is reciting an environment for the resistor, the “located in an enclosure” is positively recited and comprises a structural limitation.

For this reason, Applicant asserts that Vuong can not anticipate Claims 1-3 of the application.

The Examiner also rejected Claims 4-6 under 35 U.S.C. § 103(a) as being unpatentable over Vuong et al. in further view of Karmarkar (U.S. Patent No. 6,058,709). Though these claims have been canceled, Applicant wishes to address this rejection in light of Claim 1 as amended.

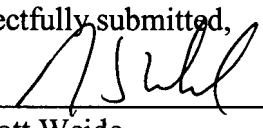
Applicant asserts that Karmarkar simply discloses that components of a gaming system may be utilized “in a legally sanctioned gaming property.” As is well known and as disclosed in Karmarkar, such a location may be sovereign state or a Native American territory.

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Neither Vuong or Karmarkar suggests or discloses a gaming system in which a gaming machine is specifically located in a first sovereign Native American territory and a game server located in a second sovereign Native American territory remote from the first territory, and where a satellite communication link is provided between the gaming machine and game server.

As noted in the application, the claimed configuration has particular advantages and solve problems which have not been previously overcome. In particular, the claimed system addresses issues arising when gaming is to be offered in more than one location in a manner avoiding problems with intermediate territories (i.e. such as where information can not be transmitted through a jurisdiction in which gaming is not legal and which is between the first and second territories where the gaming is offered).

Applicant asserts that Claims 1-3 are in a condition for allowance and respectfully request a notice as to the same. If any matters remain outstanding, the Examiner is invited to contact the undersigned by telephone.

Respectfully submitted,
Dated: April 26, 2007 By: 
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